

REMARKS

Claims 1-22 remain pending in this application. In the Office Action of January 19, 2005, claims 1-20 have been rejected. The Office Action also appears to reject claim 21 and does not indicate whether claim 22 has been rejected or allowed. Applicant hereby amends claims 1, 3, 14 and 19, and responds and traverses the rejections as follows.

Objection to Drawings

The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a) and has requested corrected drawing sheets in compliance with 37 C.F.R. § 1.121(d). With this Response, Applicant has filed a Submission of Corrected Drawings with substitute drawings to address the Examiner's objections. As shown in the embodiments of FIGs. 1, 5 and 6, a door guide 20 includes a channel structure suitable for retaining the wheels of a sliding door. See Application, p.6, lines 18-21. Thus, the drawings show embodiments wherein "the door guide is adapted to retain a door therein such that the door can move slidably along a length of the guide when the door is retained in the guide," as recited in amended claims 1, 14, and 19. FIG. 1 also shows the door guide opening alignment slots 30 and the door guide inner surface 22. As shown in FIGs. 3 and 4, the alignment slots are "for accommodating various positions of placement of said striker plate against said door guide inner surface," as recited in claim 4.

Claim Objections

The Examiner has objected to claims 1, 3, 14 and 19 because of certain informalities. Applicant has amended these claims to address the Examiner's objections without prejudice to Applicant's position that the claims are patentable as written. Applicant notes that these amendments are not intended to and do not narrow the scope of the claims and are not made for a reason of patentability, but are instead made only to make the claims easier to read.

Response to Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-10, 14-17 and 20 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 3,976,317 issued to Collier (hereafter "Collier"). In light of the foregoing

amendments and following remarks, Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 1 is directed to an adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide. The assembly includes a striker plate having a latch opening therein and a door guide adapted to retain a door slidably therein. The guide includes an inner surface and an opening therein, with the opening being larger than the striker plate latch opening. The striker plate may be adjustably affixed directly to the door guide inner surface so that the striker plate latch opening aligns with the slidable door latch.

Applicant respectfully submits that Collier does not disclose all of the features of claim 1. At the very least, Collier does not disclose a door guide adapted to retain a door slidably therein, as recited in claim 1. Collier is directed to a strike plate construction for a sliding glass door or window. In rejecting claim 1, the Examiner argues that Collier discloses an adjustable door guide latch slot assembly comprising a striker plate (21) having a latch opening (26) and a door guide having a vertical channel formed by flanges (47, 48) projecting from a vertical planar surface (23) (see Attachment 1 to Office Action, which shows FIG. 1 of Collier with the Examiner's notes). As can be seen from FIG. 1 of Collier, the edge of the glass door (14) is retained in the door guide channel only when the door is in the closed position. In that closed position with the door retained in the channel, however, the door cannot move slidably along the vertical guide channel. Thus, Applicant respectfully submits that the Collier door guide (as defined by the Examiner in Attachment 1 to the Office Action) is not a guide adapted to retain a door slidably therein, as recited in claim 1. To the contrary, the door of Collier is designed to slide horizontally in a track that is not even shown in FIG. 1 and only when the door is not retained in the guide channel.

To emphasize this distinction, Applicant has amended claim 1 to recite that the "guide is adapted to retain a door therein such that the door can move slidably along a length of the guide when the door is retained in the channel." Applicant respectfully submits, therefore, that Collier does not anticipate claim 1.

Claims 2-10 depend from and include all of the features of claim 1. For at least the reasons set forth above with respect to claim 1, therefore, Applicant respectfully submits that Collier also does not anticipate claims 2-10.

Applicant also respectfully submits that Collier does not disclose all of the features of claim 14. Claim 14 is directed to an adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide. The assembly includes a striker plate having a latch opening therein and a door guide adapted to retain a door slidably therein. The guide includes an inner surface with a recessed area on the inner surface. The recessed area is larger than the striker plate. The inner surface has an opening therein, with the opening being larger than the striker plate latch opening. The striker plate may be placed flat against the door guide inner surface in the recessed area and adjustably affixed to the door guide inner surface so that the striker plate latch opening aligns with the slidable door latch.

Applicant respectfully submits that Collier does not disclose all of the features of claim 14. For the reasons discussed above, at the very least, Collier does not disclose a door guide adapted to retain a door slidably therein, as recited in claim 14. Applicant has amended claim 14 to emphasize that “the guide is adapted to retain a door therein such that the door can move slidably along a length of the guide when the door is retained in the guide.” Applicant respectfully submits, therefore, that Collier does not anticipate claim 14.

Claims 15-17 depend from and include all of the features of claim 14. For at least the reasons set forth above with respect to claim 14, therefore, Applicant respectfully submits that Collier also does not anticipate claims 15-17.

The Examiner has rejected claim 20 as being anticipated by Collier. Claim 20 depends from and includes all of the features of claim 19. The Examiner, however, has not rejected claim 19 as being anticipated by Collier. If claim 19 is not anticipated by Collier, Applicant respectfully submits that claim 20 also is not anticipated by Collier.

Response to Claim Rejections Under 35 U.S.C. § 103(a)

Claims 11-13 and 18-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Collier in view of U.S. Patent No. 5,757,269 issued to Roth, et al. (hereafter “Roth”). In

light of the foregoing amendments and following remarks, Applicant respectfully requests reconsideration and withdrawal of this rejection.

A finding of obviousness requires that all claim limitations of the Applicant's invention must be taught or suggested by the prior art. MPEP § 2143.03. Applicant respectfully submits that Collier and Roth, taken alone or in combination, do not teach or suggest all of the elements of Applicant's claims 11-13 and 18-21.

Each of claims 11-13 depends from and includes all of the features of claim 1. For at least the reasons discussed above with respect to the Examiner's rejection of claim 1 under 35 U.S.C. § 102(b), therefore, Applicant respectfully submits that claims 11-13 also are not rendered obvious by Collier and Roth.

Claim 18 depends from and includes all of the features of claim 14. For at least the reasons discussed above with respect to the Examiner's rejection of claim 14 under 35 U.S.C. § 102(b), therefore, Applicant respectfully submits that claim 18 also is not rendered obvious by Collier and Roth.

Applicant also respectfully submits that Collier and Roth do not teach or suggest all of the features of claim 19. Claim 19 is directed to an adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide. The assembly includes a striker plate having a latch opening therein, a door guide adapted to retain a door slidably therein and a security device having a latch receiving port. The guide includes an outer surface and an inner surface with a recessed area larger than the striker plate and has an opening therein extending from the inner surface to the outer surface, with the opening being larger than the striker plate latch opening. The security device extends out from the outer surface of the door guide. The striker plate may be placed flat against the door guide inner surface within the recessed area and may be adjustably affixed to the door guide inner surface so that the striker plate latch opening aligns with the slidable door latch. The security device is affixed to the adjustable striker plate so that the latch receiving port aligns with both the striker plate latch opening and the slidable door latch.

For the reasons discussed above, at the very least, Collier and Roth do not teach or suggest a door guide adapted to retain a door slidably therein, as recited in claim 19. To emphasize this distinction, Applicant has amended claim 19 to recite that the "guide is adapted to retain a door therein such that the door can move slidably along a length of the guide when the door is retained in the guide." Applicants respectfully submit, therefore, that claim 19 is patentable over Collier in view of Roth.

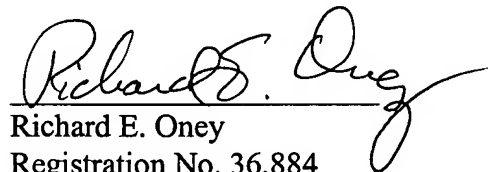
Each of claims 20 and 21 depends from and includes all of the features of claim 19. For at least the reasons discussed above with respect to the Examiner's rejection of claim 19, therefore, Applicant submits that claims 20 and 21 also are patentable in view of Collier over Roth.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: July 19, 2005

Respectfully submitted,

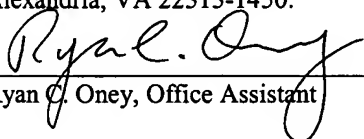


Richard E. Oney
Registration No. 36,884
Tiffany & Bosco, P.A.
2525 E. Camelback Road, Third Floor
Phoenix, Arizona 85016
Tel: (602) 255-6094

Amendment and Response to Office Action
US Patent Application No. 10/055,757

Express Mail Label No. **EV 426789343 US** Date of Deposit July 19, 2005

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, postage prepaid and addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Ryan C. Oney, Office Assistant

07/19/05

Date of Signature